

Policy Number: 3040
Policy Title: Privacy, Security, and
Confidentiality
Date Adopted: January 28, 2015

Purpose

The purpose of this policy is to provide guidance for the establishment and distribution of the Fairfax-Falls Church Community Services Board (CSB) Notice of Privacy Practices as required by Federal Regulations (see references). This notice provides consumers with a clear understanding of how the information consumers provide to the CSB and its directly operated programs and contractual agencies will be protected and how it may be used and disclosed.

Policy

It is the policy of the Community Services Board that:

1. CSB staff shall provide new and existing consumers with a copy of the CSB's Notice of Privacy Practices in accordance with Federal Regulations.
2. The CSB shall publicly post the current Notice of Privacy Practices at each CSB service site and on the CSB web page. The CSB will post updates to the Notice of Privacy Practice at service sites, on the web page and will make copies available to consumers at service sites.
3. The CSB shall maintain consumer records containing individually identifiable health information in accordance with Federal and/or State law.
4. Consumers receiving services from the CSB shall have the right to receive confidential communications concerning their treatment and handling of their protected health information. Unless the law indicates otherwise, consumers shall have the right to access their own records and to receive a copy of their record upon request. Consumers also have the right to request an amendment to their record and to request special protections to health information in their record.
5. Individuals acting on behalf of the CSB shall treat all individually identifiable health information of persons receiving services as private, secure, and confidential and shall not further disclose this information except as permitted by law.
6. Individuals acting on behalf of the CSB shall comply with Federal and State laws, State Human Rights Regulations, State licensure regulations and standards established by accreditation organizations regarding privacy, security, and confidentiality of consumer records including protected health information.

7. Contract agencies shall be in compliance with Federal and State laws, regulations and applicable licensing, human rights regulation and standards established by accreditation organizations related to privacy, security and confidentiality of consumer records.

Approved  January 28, 2015
Secretary Date

References:

- Federal Health Insurance Portability Accountability Act (HIPAA), 45 CFR Parts 160 and 164
- Federal Confidentiality Regulation, 42 C.F.R. Part II
- Virginia Privacy Protection Act of 1976
- Virginia Code § 32.1-127.1:03; Patient Health Records Privacy
- Virginia Code, Section 54.1-2400.1 (A & B) Duty to Protect Third Parties
- Deemed Consent, Virginia Code 32.1-45.1
- HIV/AIDS Patients, Virginia Code, 32.1-36.1
- Virginia Department of Behavioral Health and Developmental Services, Virginia Code 12 VAC 35-105-10
- State Human Rights Regulations 12 VAC 35-115
- Commission on Accreditation of Rehabilitation Facilities (CARF) Employment and Community Services Standards Manual
- Review and input by Fairfax County HIPAA Compliance Manager, August 12, 2013

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